

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

USA,

Plaintiff,

v.

No. 18-cv-1278 JPG/SCW

DOUGLAS A. SCHAUFELBERGER,
*as Trustee of the Douglas A.
Schaufelberger, Greta E. Schaufelberger
and Warren E. Schaufelberger
Declarations of Trust,*

Defendant.

MEMORANDUM AND ORDER

This matter comes before the Court on the Notice of Dismissal (Doc.14) pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) filed by plaintiff USA. Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action without a court order at any time before the opposing party serves an answer or a motion for summary judgment. The defendant has not served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case at the present time, the Court finds that this action is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to close this case.

DATED: November 30, 2018

s/ J. Phil Gilbert
UNITED STATES DISTRICT JUDGE